

**First Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 25-0880.01 Christopher McMichael x4775

**HOUSE BILL 25-1295**

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**HOUSE SPONSORSHIP**

**Rutinel,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Transportation, Housing & Local Government

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE OPERATION OF FOOD TRUCKS, AND, IN CONNECTION**  
102            **THEREWITH, ESTABLISHING A RECIPROCAL LICENSING AND**  
103            **PERMITTING SYSTEM BETWEEN LOCAL GOVERNMENT**  
104            **JURISDICTIONS FOR THE OPERATION OF FOOD TRUCKS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill creates a reciprocal licensing and permitting system for the operation of food trucks within the jurisdictions of local governments in the state. The bill requires a local government to grant the owner or

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

operator of a food truck a reciprocal business license, reciprocal health department permit, and reciprocal fire safety permit (reciprocal license and reciprocal permits), which reciprocal license and reciprocal permits allow the owner or operator of a food truck to operate within the local government's jurisdiction, if the owner or operator of a food truck:

- Has an active business license from another local government;
- Has an active health department permit from another local government;
- Has an active fire safety permit from another local government; and
- Pays applicable application and licensing and permitting fees.

A local government must review an application for the reciprocal license and reciprocal permits within 14 calendar days after receiving the application and decide whether to approve or deny the application. The local government may deny the application under certain circumstances. The local government may collect an application fee and charge reduced licensing and permitting fees for granting the reciprocal license and reciprocal permits.

The bill prohibits the governing body of a local government from adopting an ordinance, resolution, regulation, zoning code, or other code that:

- Prohibits the operation of a food truck in a zone in which a food establishment is considered a permitted or conditional use;
- Restricts the total number of days a food truck may be operated within the local government's jurisdiction during a calendar year; or
- Prohibits the operation of a food truck within a certain distance of another food establishment, unless the specified distance is less than 50 feet.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** In Colorado Revised Statutes, **recreate and**  
3 **reenact, with amendments,** article 11.6 of title 29 as follows:

4           **29-11.6-101. Legislative declaration.** (1) THE GENERAL  
5 ASSEMBLY FINDS AND DECLARES THAT:

6           (a) **MOBILE RETAIL FOOD ESTABLISHMENTS ARE A GROWING PART**  
7 **OF THE COLORADO ECONOMY;**

1 (b) MOBILE RETAIL FOOD ESTABLISHMENTS ARE INHERENTLY  
2 MOBILE AND INTENDED TO OPERATE IN VARIOUS LOCATIONS ACROSS THE  
3 STATE; AND

4 (c) LAWS IMPOSED AND ADMINISTERED AT THE LOCAL LEVEL  
5 REQUIRING MOBILE RETAIL FOOD ESTABLISHMENTS TO OBTAIN SEPARATE  
6 PERMITS OR LICENSES TO OPERATE WITHIN A LOCAL GOVERNMENT'S  
7 JURISDICTION IMPOSE INORDINATE BURDENS ON THOSE ESTABLISHMENTS.

8 **29-11.6-102. Definitions.** AS USED IN THIS ARTICLE 11.6, UNLESS  
9 THE CONTEXT OTHERWISE REQUIRES:

10 (1) "BUSINESS LICENSE" MEANS A PERMIT OR DOCUMENT ISSUED  
11 BY A LOCAL GOVERNMENT THAT AUTHORIZES A MOBILE RETAIL FOOD  
12 ESTABLISHMENT TO OPERATE AS A BUSINESS WITHIN THE JURISDICTIONAL  
13 BOUNDARIES OF THE LOCAL GOVERNMENT.

14 (2) "DENVER FOOD SAFETY LICENSE" MEANS THE FOOD SAFETY  
15 LICENSE GRANTED BY THE CITY AND COUNTY OF DENVER THAT  
16 AUTHORIZES A MOBILE RETAIL FOOD ESTABLISHMENT TO OPERATE WITHIN  
17 THE CITY AND COUNTY OF DENVER.

18 (3) "FIRE SAFETY PERMIT" MEANS A PERMIT OR DOCUMENT ISSUED  
19 BY A LOCAL GOVERNMENT THAT CERTIFIES THAT A MOBILE RETAIL FOOD  
20 ESTABLISHMENT MEETS THE LOCAL GOVERNMENT'S FIRE AND SAFETY  
21 STANDARDS AND AUTHORIZES AN INDIVIDUAL TO OPERATE THE MOBILE  
22 RETAIL FOOD ESTABLISHMENT.

23  
24 (4) "GOVERNING BODY" MEANS A BOARD, A COUNCIL, OR ANOTHER  
25 ELECTED OR APPOINTED BODY IN WHICH THE LEGISLATIVE POWERS OF A  
26 LOCAL GOVERNMENT ARE VESTED.

27

1 (5) "LOCAL GOVERNMENT" MEANS AN AUTHORITY, A COUNTY, A  
2 MUNICIPALITY, A CITY AND COUNTY, A DISTRICT, OR ANOTHER POLITICAL  
3 SUBDIVISION OF THE STATE OR ANY DEPARTMENT, AGENCY, INSTITUTION,  
4 OR AUTHORITY OF A COUNTY, A MUNICIPALITY, A CITY AND COUNTY, A  
5 DISTRICT, OR ANOTHER POLITICAL SUBDIVISION OF THE STATE.

6 (6) "MOBILE RETAIL FOOD ESTABLISHMENT" MEANS A RETAIL  
7 FOOD ESTABLISHMENT THAT IS OPERATED FROM A MOVABLE,  
8 MOTOR-DRIVEN, OR PROPELLED VEHICLE, PORTABLE STRUCTURE, OR  
9 WATERCRAFT THAT CAN CHANGE LOCATION AND IS INTENDED TO  
10 PHYSICALLY REPORT TO AND OPERATE FROM A COMMISSARY FOR  
11 SERVICING, RESTOCKING, AND MAINTENANCE.

12 (7) "MOTOR VEHICLE" HAS THE MEANING SET FORTH IN SECTION  
13 42-1-102 (58).

14 (8) "RECIPROCAL LICENSE AND RECIPROCAL PERMIT" MEANS A  
15 BUSINESS LICENSE AND FIRE SAFETY PERMIT, AS THOSE TERMS ARE  
16 DEFINED IN THIS SECTION, THAT ARE GRANTED BY A LOCAL GOVERNMENT  
17 PURSUANT TO SECTION 29-11.6-103 AND THAT TOGETHER ALLOW A  
18 MOBILE RETAIL FOOD ESTABLISHMENT TO OPERATE WITHIN THE LOCAL  
19 GOVERNMENT'S JURISDICTION.

20 (9) "RETAIL FOOD ESTABLISHMENT" HAS THE MEANING SET FORTH  
21 IN SECTION 25-4-1602 (14).

22 (10) "STATE HEALTH DEPARTMENT LICENSE" MEANS THE LICENSE  
23 GRANTED BY THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT  
24 PURSUANT TO SECTION 25-4-1606.

25 **29-11.6-103. Mobile retail food establishment operations -**  
26 **reciprocal license and reciprocal permit - fees. (1) Reciprocal license**  
27 **and reciprocal permit - fees. (a) UPON APPLICATION TO A LOCAL**

1 GOVERNMENT BY AN OWNER OR OPERATOR OF A MOBILE RETAIL FOOD  
2 ESTABLISHMENT AND SUBJECT TO THE LIMITATIONS SET FORTH IN  
3 SUBSECTION (1)(b) OF THIS SECTION, A LOCAL GOVERNMENT SHALL GRANT  
4 A RECIPROCAL BUSINESS LICENSE AND A RECIPROCAL FIRE SAFETY PERMIT  
5 TO THE OWNER OR OPERATOR OF THE MOBILE RETAIL FOOD  
6 ESTABLISHMENT, WHICH RECIPROCAL LICENSE AND RECIPROCAL PERMIT  
7 ALLOW THE OWNER OR OPERATOR OF THE MOBILE RETAIL FOOD  
8 ESTABLISHMENT TO OPERATE WITHIN THE JURISDICTION OF THE LOCAL  
9 GOVERNMENT, IF THE OWNER OR OPERATOR OF THE MOBILE RETAIL FOOD  
10 ESTABLISHMENT SUBMITS THE FOLLOWING DOCUMENTATION TO THE  
11 LOCAL GOVERNMENT:

12 (I) AN ACTIVE BUSINESS LICENSE FROM ANOTHER LOCAL  
13 GOVERNMENT;

14

15 (II) AN ACTIVE FIRE SAFETY PERMIT FROM ANOTHER LOCAL  
16 GOVERNMENT; AND

17 (III) PAYMENT OF THE APPLICATION FEE, LICENSING FEE, AND  
18 PERMITTING FEES CHARGED BY THE LOCAL GOVERNMENT PURSUANT TO  
19 SUBSECTION (1)(c) OF THIS SECTION.

20 (b) (I) UPON REVIEW OF AN APPLICATION SUBMITTED IN  
21 ACCORDANCE WITH SUBSECTION (1)(a) OF THIS SECTION, A LOCAL  
22 GOVERNMENT MAY DENY AN APPLICATION IF:

23 (A) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD  
24 ESTABLISHMENT HAS NOT OBTAINED OR RENEWED A FIRE SAFETY  
25 PERMIT WITHIN THE PAST CALENDAR YEAR;

26 (B) THE BUSINESS LICENSE SUBMITTED BY THE OWNER OR  
27 OPERATOR OF A MOBILE RETAIL FOOD ESTABLISHMENT IS EXPIRED;

1 (C) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD  
2 ESTABLISHMENT HAS OUTSTANDING FEES, FINES, OR PENALTIES IN  
3 ANOTHER LOCAL JURISDICTION; OR

4 (D) THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD  
5 ESTABLISHMENT HAS FAILED A FIRE SAFETY INSPECTION WITHIN THE  
6 PAST CALENDAR YEAR.

7 (II) IF A LOCAL GOVERNMENT DENIES AN APPLICATION IN  
8 ACCORDANCE WITH SUBSECTION (1)(b)(I) OF THIS SECTION, THE LOCAL  
9 GOVERNMENT SHALL PROVIDE WRITTEN NOTICE TO THE APPLICANT  
10 STATING THE REASON THAT THE APPLICATION WAS DENIED AND PROVIDE  
11 THE APPLICANT A CHANCE TO RESUBMIT THE APPLICATION WITH UPDATED  
12 OR ADDITIONAL INFORMATION.

13 (c) (I) A LOCAL GOVERNMENT THAT GRANTS A RECIPROCAL  
14 LICENSE AND RECIPROCAL PERMIT PURSUANT TO SUBSECTION (1)(a) OF  
15 THIS SECTION MAY CHARGE AN APPLICATION FEE TO AN OWNER OR  
16 OPERATOR OF A MOBILE RETAIL FOOD ESTABLISHMENT THAT APPLIES FOR  
17 THE RECIPROCAL LICENSE AND RECIPROCAL PERMIT. THE APPLICATION FEE  
18 CHARGED BY A LOCAL GOVERNMENT MUST NOT EXCEED THE  
19 ADMINISTRATIVE COST INCURRED BY THE LOCAL GOVERNMENT TO REVIEW  
20 THE APPLICATION.

21 (II) A LOCAL GOVERNMENT MAY CHARGE A FEE TO THE OWNER OR  
22 OPERATOR OF A MOBILE RETAIL FOOD ESTABLISHMENT TO OBTAIN THE  
23 RECIPROCAL LICENSE AND RECIPROCAL PERMIT; EXCEPT THAT THE FEE  
24 MUST NOT EXCEED TWENTY-FIVE PERCENT OF THE CUMULATIVE COST OF  
25 OBTAINING A TYPICAL BUSINESS LICENSE AND FIRE SAFETY PERMIT FROM  
26 THE LOCAL GOVERNMENT.

27 (d) (I) AN OWNER OR OPERATOR OF A MOBILE RETAIL FOOD

1 ESTABLISHMENT THAT HAS BEEN GRANTED THE RECIPROCAL LICENSE AND  
2 RECIPROCAL PERMIT FROM A LOCAL GOVERNMENT IN ACCORDANCE WITH  
3 SUBSECTION (1)(a) OF THIS SECTION MAY OPERATE THE MOBILE RETAIL  
4 FOOD ESTABLISHMENT WITHIN THE LOCAL GOVERNMENT'S JURISDICTION  
5 UNTIL THE EARLIEST EXPIRATION DATE STATED ON THE LICENSE OR PERMIT  
6 SUBMITTED AS PART OF THE APPLICATION SUBMITTED PURSUANT TO  
7 SUBSECTION (1)(a) OF THIS SECTION.

8 (II) A LOCAL GOVERNMENT MAY REVOKE THE RECIPROCAL  
9 LICENSE AND RECIPROCAL PERMIT GRANTED TO THE OWNER OR OPERATOR  
10 OF A MOBILE RETAIL FOOD ESTABLISHMENT IF THE LOCAL GOVERNMENT  
11 FINDS THAT THE MOBILE RETAIL FOOD ESTABLISHMENT IS BEING OPERATED  
12 IN VIOLATION OF THE ORDINANCES, RESOLUTIONS, REGULATIONS, ZONING  
13 CODES, OR OTHER CODES OF THE LOCAL GOVERNMENT.

14 (e) A LOCAL GOVERNMENT SHALL REVIEW AN APPLICATION  
15 SUBMITTED PURSUANT TO SUBSECTION (1)(a) OF THIS SECTION AND ISSUE  
16 THE DECISION TO APPROVE OR DENY THE APPLICATION WITHIN THIRTY  
17 CALENDAR DAYS AFTER RECEIVING THE APPLICATION.

18 (2) **Enforcement.** NOTHING IN THIS SECTION PROHIBITS A LOCAL  
19 GOVERNMENT FROM ENFORCING THE LOCAL GOVERNMENT'S ORDINANCES,  
20 RESOLUTIONS, REGULATIONS, ZONING CODES, OR OTHER CODES RELATED  
21 TO THE OPERATION OF A MOBILE RETAIL FOOD ESTABLISHMENT.

22 (3) **Reciprocity between jurisdictions.** (a) THE CITY AND  
23 COUNTY OF DENVER SHALL GRANT A DENVER FOOD SAFETY LICENSE TO  
24 THE OWNER OR OPERATOR OF A MOBILE RETAIL FOOD ESTABLISHMENT IF  
25 THE OWNER OR OPERATOR SUBMITS THE FOLLOWING TO THE CITY AND  
26 COUNTY OF DENVER:

27 (I) AN ACTIVE STATE HEALTH DEPARTMENT LICENSE; AND

1 (II) PAYMENT OF THE APPLICATION FEE AND LICENSING FEE  
2 CHARGED BY THE CITY AND COUNTY OF DENVER FOR A DENVER FOOD  
3 SAFETY LICENSE IN ACCORDANCE WITH SUBSECTION (3)(c) OF THIS  
4 SECTION.

5 (b) UPON REVIEW OF A RECIPROCAL LICENSE APPLICATION  
6 SUBMITTED IN ACCORDANCE WITH SUBSECTION (3)(a) OF THIS SECTION,  
7 THE CITY AND COUNTY OF DENVER MAY DENY AN OWNER OR OPERATOR  
8 OF A MOBILE RETAIL FOOD ESTABLISHMENT A RECIPROCAL LICENSE  
9 APPLICATION FOR A DENVER FOOD SAFETY LICENSE IF THE OWNER OR  
10 OPERATOR OF THE MOBILE RETAIL FOOD ESTABLISHMENT:

11 (I) HAS NOT OBTAINED OR RENEWED A STATE HEALTH  
12 DEPARTMENT LICENSE WITHIN THE MOST RECENT PAST CALENDAR YEAR;

13 (II) HAS FAILED AN INSPECTION RELATED TO THE STATE HEALTH  
14 DEPARTMENT LICENSE WITHIN THE MOST RECENT PAST CALENDAR YEAR;

15 OR

16 (III) HAS OUTSTANDING FEES, FINES, OR PENALTIES IN THE CITY  
17 AND COUNTY OF DENVER OR ANOTHER LOCAL GOVERNMENT  
18 JURISDICTION.

19 (c) (I) THE CITY AND COUNTY OF DENVER MAY CHARGE A  
20 RECIPROCAL LICENSE APPLICATION FEE TO AN OWNER OR OPERATOR OF A  
21 MOBILE RETAIL FOOD ESTABLISHMENT THAT APPLIES FOR A DENVER FOOD  
22 SAFETY LICENSE. THE RECIPROCAL LICENSE APPLICATION FEE MUST NOT  
23 EXCEED THE ADMINISTRATIVE COST INCURRED BY THE CITY AND COUNTY  
24 OF DENVER TO REVIEW THE APPLICATION.

25 (II) THE CITY AND COUNTY OF DENVER MAY CHARGE A  
26 RECIPROCAL LICENSING FEE TO AN OWNER OR OPERATOR OF A MOBILE  
27 RETAIL FOOD ESTABLISHMENT TO OBTAIN A DENVER FOOD SAFETY



1 LICENSE. THE RECIPROCAL LICENSING FEE MUST NOT EXCEED  
2 TWENTY-FIVE PERCENT OF THE COST OF OBTAINING AN INITIAL DENVER  
3 FOOD SAFETY LICENSE.

4 (d) (I) AN OWNER OR OPERATOR OF A MOBILE RETAIL FOOD  
5 ESTABLISHMENT THAT HAS BEEN GRANTED A DENVER FOOD SAFETY  
6 LICENSE PURSUANT TO THIS SUBSECTION (4) MAY OPERATE THE MOBILE  
7 RETAIL FOOD ESTABLISHMENT WITHIN THE CITY AND COUNTY OF DENVER  
8 UNTIL THE EXPIRATION DATE STATED ON THE STATE HEALTH DEPARTMENT  
9 LICENSE.

10 (II) THE CITY AND COUNTY OF DENVER MAY REVOKE A DENVER  
11 FOOD SAFETY LICENSE GRANTED TO AN OWNER OR OPERATOR OF A MOBILE  
12 RETAIL FOOD ESTABLISHMENT PURSUANT TO THIS SUBSECTION (4) IF THE  
13 CITY AND COUNTY OF DENVER FINDS THAT THE MOBILE RETAIL FOOD  
14 ESTABLISHMENT IS BEING OPERATED IN VIOLATION OF THE ORDINANCES,  
15 RESOLUTIONS, REGULATIONS, ZONING CODES, OR OTHER CODES OF THE  
16 CITY AND COUNTY OF DENVER.

17 (e) THE CITY AND COUNTY OF DENVER SHALL REVIEW A  
18 RECIPROCAL LICENSE APPLICATION FOR A DENVER FOOD SAFETY LICENSE  
19 SUBMITTED PURSUANT TO THIS SUBSECTION (3) AND ISSUE THE DECISION  
20 TO APPROVE OR DENY THE RECIPROCAL LICENSE APPLICATION WITHIN  
21 THIRTY CALENDAR DAYS AFTER RECEIVING THE APPLICATION.

22 **SECTION 2.** In Colorado Revised Statutes, 25-4-1602, **add** (2.7)  
23 and (10.5) as follows:

24 **25-4-1602. Definitions.** As used in this part 16, unless the context  
25 otherwise requires:

26 (2.7) "DENVER FOOD SAFETY LICENSE" HAS THE MEANING SET  
27 FORTH IN SECTION 29-11.6-102 (2).

1 (10.5) "MOBILE RETAIL FOOD ESTABLISHMENT" MEANS A RETAIL  
2 FOOD ESTABLISHMENT THAT IS OPERATED FROM A MOVABLE,  
3 MOTOR-DRIVEN, OR PROPELLED VEHICLE, PORTABLE STRUCTURE, OR  
4 WATERCRAFT THAT CAN CHANGE LOCATION AND IS INTENDED TO  
5 PHYSICALLY REPORT TO AND OPERATE FROM A COMMISSARY FOR  
6 SERVICING, RESTOCKING, AND MAINTENANCE.

7 SECTION 3. In Colorado Revised Statutes, 25-4-1604, amend  
8 (2); and add (3) as follows:

9 25-4-1604. Powers and duties of department - reciprocal  
10 license - rules. (2) (a) Subsection (1) of this section shall DOES not apply  
11 to the city and county of Denver, which, by ordinance, may provide for  
12 the licensure of retail food establishments.

13 (b) THE CITY AND COUNTY OF DENVER SHALL GRANT A DENVER  
14 FOOD SAFETY LICENSE TO A LICENSEE IN ACCORDANCE WITH SECTION  
15 29-11.6-103 (3).

16 (3) Reciprocity with the city and county of Denver. (a) THE  
17 DEPARTMENT SHALL GRANT A LICENSE TO THE OWNER OR OPERATOR OF A  
18 MOBILE RETAIL FOOD ESTABLISHMENT IF THE OWNER OR OPERATOR  
19 SUBMITS THE FOLLOWING TO THE DEPARTMENT:

20 (I) AN ACTIVE DENVER FOOD SAFETY LICENSE ISSUED BY THE CITY  
21 AND COUNTY OF DENVER; AND

22 (II) PAYMENT OF A RECIPROCAL LICENSE APPLICATION FEE AND  
23 RECIPROCAL LICENSING FEE REQUIRED FOR THE LICENSE.

24 (b) (I) THE DEPARTMENT MAY CHARGE A RECIPROCAL LICENSE  
25 APPLICATION FEE TO AN OWNER OR OPERATOR OF A MOBILE RETAIL FOOD  
26 ESTABLISHMENT THAT APPLIES FOR A LICENSE IN ACCORDANCE WITH THIS  
27 SUBSECTION (3). THE RECIPROCAL LICENSE APPLICATION FEE MUST NOT

1 EXCEED THE ADMINISTRATIVE COST INCURRED BY THE DEPARTMENT TO  
2 REVIEW THE RECIPROCAL LICENSE APPLICATION.

3 (II) THE DEPARTMENT MAY CHARGE A RECIPROCAL LICENSING FEE  
4 TO AN OWNER OR OPERATOR OF A MOBILE RETAIL FOOD ESTABLISHMENT  
5 TO OBTAIN A LICENSE IN ACCORDANCE WITH THIS SUBSECTION (3). THE  
6 RECIPROCAL LICENSING FEE MUST NOT EXCEED TWENTY-FIVE PERCENT OF  
7 THE LICENSING FEE CHARGED PURSUANT TO SECTION 25-4-1607.

8 **SECTION 4. Act subject to petition - effective date -**  
9 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
10 the expiration of the ninety-day period after final adjournment of the  
11 general assembly; except that, if a referendum petition is filed pursuant  
12 to section 1 (3) of article V of the state constitution against this act or an  
13 item, section, or part of this act within such period, then the act, item,  
14 section, or part will not take effect unless approved by the people at the  
15 general election to be held in November 2026 and, in such case, will take  
16 effect on the date of the official declaration of the vote thereon by the  
17 governor.

18 (2) This act applies to applications submitted and conduct  
19 occurring on or after the applicable effective date of this act.